



I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: January 13, 2004

Signature: *Tram Anh T. Nguyen*

(Tram Anh T. Nguyen)

Docket No.: 101537-0038  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of: Richard Rox Anderson

Application No.: 10/612,599

Group Art Unit: 3763

Filed: July 2, 2003

Examiner: Not Yet Assigned

For: **TARGETING OF SEBACEOUS FOLLICLES  
AS A TREATMENT OF SEBACEOUS  
GLAND DISORDERS**

**INFORMATION DISCLOSURE STATEMENT (IDS)**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Applicant hereby cites for the record in this application the documents listed on the attached copies of PTO Form 1449 and PTO Form 892. In accordance with 37 CFR §1.98(d), copies of the references are not submitted herewith insofar as they are all believed to be in the Examiner's file already. The references were previously cited in United States Patent **Application No. 09/464,137 filed on December 16, 1999** and relied upon in this application for an earlier filing date under 35 U.S.C. 120.

This Information Disclosure Statement is filed before the mailing date of a first Office Action on the merits as far as is known to the undersigned (37 CFR 1.97(b)(3)).

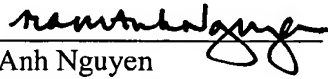
It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the references be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

While the information and references disclosed in this Information Disclosure Statement may be "material" pursuant to 37 CFR 1.56, it is not intended to constitute an admission that any patent, publication or other information referred to therein is "prior art" for this invention unless specifically designated as such.

This statement is not to be interpreted as a representation that the cited publications are material, that an exhaustive search has been conducted, or that no other relevant information exists. Nor shall the citation of any publication herein be construed *per se* as a representation that such publications are prior art. Moreover, the Applicant understands the Examiner will make an independent evaluation of the cited publications.

Dated: January 13, 2004

Respectfully submitted,

By   
Tram Anh Nguyen  
Registration No.: 47,257  
NUTTER MCCLENNEN & FISH LLP  
World Trade Center West  
155 Seaport Boulevard  
Boston, Massachusetts 02210-2604  
(617) 439-2734  
(617) 310-9734 (fax)  
Attorneys/Agents for Applicant

1289365.1



PTO/SB/08A (10-01)

Approved for use through 10/31/2002. OMB 0651-0031

U. S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449A/PTO  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (use as many sheets as necessary)				<b>Complete if Known</b>	
				Application Number	09/464,137
				Filing Date	December 16, 1999
				First Named Inventor	Richard Rox Anderson
				Art Unit	3763
				Examiner Name	J. Maynard
Sheet	1	of	2	Attorney Docket Number	101537-8

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)			
		4,287,554	09/01/1981	Wolff	
		4,930,504	06/05/1990	Diamantopoulos et al	
		4,945,908	08/07/1990	Schneider	
		5,234,940	08/10/1993	Kennedy et al.	
		5,464,436	11/07/1995	Smith	
		5,520,905	05/28/1996	Uhlmann et al.	
		5,713,845	02/03/1998	Tankovich	
		5,856,566	01/05/1999	Golub	
		5,925,034	07/20/1999	Buckley et al.	
		6,036,684	03/14/2000	Tankovich et al.	
		6,063,108	05/16/2000	Salansky et al.	
		6,165,170	12/26/2000	Wynne et al.	
		6,168,590	01/02/2001	Neev	
		6,358,272	03/19/2002	Wilden	

FOREIGN PATENT DOCUMENTS					
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Country Code <sup>3</sup> -Number <sup>4</sup> -Kind Code <sup>5</sup> (if known)			
		WO 94/06424	03/31/1994	Richter	
		WO 95/07077	03/16/1995	Gierskcky et al.	
		WO 96/14899	05/23/1996	Wilkens	
		WO 98/33444	08/06/1998	Flock et al.	
		EP 0 726 083	08/14/1996	Eckhouse	

<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See attached Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the application number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

OTHER PRIOR ART – NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
		Mutzhaz, et al. "A New Apparatus with High Radiation Energy Between 320-460 nm: Physical Description and Dermatological Applications" <i>The Journal of Investigative Dermatology</i> , vol. 76 pgs. 42-47 (1981).	
		Gfesser, et al. "Seasonal Variations in the Severity of Acne Vulgaris" <i>International Journal of Dermatology</i> , vol. 35, no. 2, pgs. 116-117 (1996).	
		Sigurdsson et al. "Phototherapy of Acne Vulgaris with Visible Light " <i>Dermatology</i> , vol. 194, pgs, 256-260 (1997).	
		Arakane et al. "Singlet Oxygen Generation from Coproporphyrin in Propionibacterium acnes on Irradiation" <i>Biochemical and Biophysical Research Communications</i> , vol. 223, article 0937, pgs. 578-582 (1996).	
		Kjeldstad et al. "Changes in Polyphosphate Composition and Localization in Propionibacterium Acnes After Near-Ultraviolet Irradiation" <i>Can J. Microbiol</i> , vol. 37, pgs. 562-567 (1991).	
		Naess et al. "In Vivo and in Vitro Effects of Doxycycline on Leucocyte Membrane Receptors"	



PTO/SB/08B (10-01)

Approved for use through 10/31/2002.OMB 0651-0031

U. S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

<b>Substitute for form 1449B/PTO</b>  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (use as many sheets as necessary)				<b>Complete if Known</b>	
				Application Number	09/464,137
				Filing Date	December 16, 1999
				First Named Inventor	Richard Rox Anderson
				Group Art Unit	3763
				Examiner Name	J. Maynard
Sheet	2	of	2	Attorney Docket Number	101537-8

	<i>Clin. exp Immunol</i> , vol. 62, pgs. 310-314 (1985).	
	Kollias, et al. "Endogenous Skin Fluorescence Includes Bands that may Serve as quantitative Markers of Aging and Photoaging" <i>The Journal of Investigative Dermatology</i> , vol. 111, no. 5, pgs. 776-780 (1998).	
	Brookner, et al. "Safety Analysis: Relative Risks of Ultraviolet Exposure from Fluorescence Spectroscopy and Colposcopy Are Comparable" <i>Photochemistry and Photobiology</i> , vol. 65, no. 6 pgs. 1020-1025 (1997.)	
	Mills, et al. "Ultraviolet Phototherapy and Photochemotherapy of Acne Vulgaris" <i>Arch Dermatol</i> , vol. 114, pgs. 221-223 (1978).	
	Wilkin "Pathophysiology and Treatment" <i>Arch Dermatol</i> , vol. 130, pgs. 359-362 (1994).	

Examiner Signature		Date Considered	
--------------------	--	-----------------	--

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>Applicant is to place a check mark here if English language Translation is attached.

1165317.1



Form PTO-1449  
(Rev. 8-83)

U.S. DEPARTMENT OF COMMERCE  
PATENT AND TRADEMARK OFFICE

ATTY. DOCKET NO.  
101537-8

APPLICATION NO.  
09/464,137

**INFORMATION DISCLOSURE CITATION**

*(Use several sheets if necessary)*

APPLICANT  
Richard Rox Anderson

FILING DATE  
December 16, 1999

GROUP  
1615

**U.S. PATENT DOCUMENTS**

EXAMINER INITIAL		DOCUMENT NUMBER							DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE*
	AA	5	4	2	2	0	9	3	6/6/95	Kennedy et al	424	9.61	
	AB	5	7	5	2	9	4	9	5/19/98	Tankovich et al	606/9	606/133	

**FOREIGN PATENT DOCUMENTS**

		DOCUMENT NUMBER							DATE	COUNTRY	CLAS S	SUBCLA SS	TRANSLATI ON	
													YES	NO
	AB	WO 96/39188							12/12/96	WO	A61K	41/00		
	AC	WO 98/52610							11/26/98	WO	A61K	41/00		

**OTHER DOCUMENTS (including Author, Title, Date, Pertinent Pages, Etc.)**

	AD	International Search Report, July 12, 2000												
	AE	Konig, K., et al., "Photodynamically Inactivation of Propionibacterium Acnes" (1998) SPIE - Int. Soc. Opt. Eng.												
	AF	Koenig, K., et al., "Photodynamically Induced Inactivation of Propionibacterium Acnes Using the Photosensitizer Methylene Blue and Red Light" (1992) Dermatol. Monatsschr.												
	AG	Dierickx, C.C., et al., "Photodynamic Therapy for Nevus Sebaceus with Topical Delta Aminolevulinic Acid" (1999) Archives of Dermatology												
	AH	Konig, K., et al., "Photodynamic Activity of Methylene Blue" (1993) Aktuelle Dermatologie												
Examiner		Date Considered:												
		*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and considered. Include copy of this form with next communication to applicant.												



Form PTO 1449 (Rev. 8-83)	<b>U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE</b>	<b>ATTY. DOCKET NO.</b> 101537-8	<b>APPLICATION NO.</b> 09/464,137
		<b>APPLICANT</b> Richard Rox Anderson	
		<b>FILING DATE</b> December 16, 1999	<b>GROUP</b> 1615

**INFORMATION DISCLOSURE CITATION**
*(Use several sheets if necessary)*
**U.S. PATENT DOCUMENTS**

EXAMINER INITIAL		DOCUMENT NUMBER							DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE *
		5	8	1	7	0	8	9	10/06/98	Tankovich et al.	606	9	
		5	7	5	2	9	4	9	05/19/98	Tankovich et al.	606	9	
		5	7	5	2	9	4	8	05/19/98	Tankovich et al.	606	9	
		5	7	3	5	8	4	4	04/07/98	Anderson et al.	606	9	
		5	7	1	3	8	4	5	02/03/98	Tankovich	604	20	
		5	6	4	7	8	6	6	07/15/97	Zaias et al.	606	9	
		5	4	2	5	7	2	8	06/20/95	Tankovich	606	9	
		5	4	2	3	8	0	3	06/13/95	Tankovich et al.	606	9	
		5	3	0	4	1	7	0	04/19/94	Green	606	9	
		5	2	2	6	9	0	7	07/13/93	Tankovich	606	133	
		4	6	5	1	7	3	9	03/24/87	Oseroff et al.	128	395	

**FOREIGN PATENT DOCUMENTS**

		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
							YES	NO
		WO 96/41579	12/27/96	PCT				
		WO 97/00098	01/03/97	PCT				

**OTHER DOCUMENTS (including Author, Title, Date, Pertinent Pages, Etc.)**

		Phillips, T.J. and Dover, J.S., "Recent Advances in Dermatology", <i>The New England Journal of Medicine</i> , Vol. 326, No. 3:167-178 (1/16/92).
		Rosacea, "Pathophysiology and Treatment", <i>Arch Dermatol</i> , Vol. 130:359-362 (3/94).
Examiner		Date Considered:
		*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and considered. Include copy of this form with next communication to applicant.



References Cited

Application/Control No.

09/464,137

Applicant(s)/Patent Under  
Reexamination  
ANDERSON

Examiner

Jennifer J Maynard

Art Unit

3763

Page 1 of 1

U.S. PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	Classification
	A	US-5,019,034 A	05-1991	Weaver et al.	604/20
	B	US-5,131,403 A	07-1992	Haynes	128/760
	C	US-5,733,572 A	03-1998	Unger et al.	424/450
	D	US-5,735,844 A	04-1998	Anderson et al.	606/9
*	E	US-5,817,089 A	10-1998	Tankovich et al.	606/9
	F	US-5,955,490 A	09-1999	Kennedy et al.	514/410
	G	US-6,306,130 A	10-2001	Anderson et al.	606/27
	H	US-5,445,611 A	08-1995	Eppstein et al.	604/49
	I	US-			
	J	US-			
	K	US-			
	L	US-			
	M*	US-			

FOREIGN PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Country	Name	Classification
	N	WO 98/53847	12-1998	WIPO	Wormser	A61K 38/28
	O					
	P					
	Q					
	R					
	S					
	T					

NON-PATENT DOCUMENTS

*		Include as applicable: Author, Title Date, Publisher, Edition or Volume, Pertinent Pages)
	U	
	V	
	W	
	X	

\*A copy of this reference is not being furnished with this Office action. (See MPEP § 707.05(a).)  
Dates in MM-YYYY format are publication dates. Classifications may be US or foreign.



<b>Notice of References Cited</b>	Application/Control No. 09/464,137	Applicant(s)/Patent Under Reexamination ANDERSON	
	Examiner Jennifer J Maynard	Art Unit 3763	Page 1 of 1

**U.S. PATENT DOCUMENTS**

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	Classification
	A	US-6,283,956 B1	09-2001	McDaniel	606/9
	B	US-5,669,916 A	09-1997	Anderson	606/133
	C	US-			
	D	US-			
	E	US-			
	F	US-			
	G	US-			
	H	US-			
	I	US-			
	J	US-			
	K	US-			
	L	US-			
	M	US-			

**FOREIGN PATENT DOCUMENTS**

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Country	Name	Classification
	N					
	O					
	P					
	Q					
	R					
	S					
	T					

**NON-PATENT DOCUMENTS**

*		Include as applicable: Author, Title Date, Publisher, Edition or Volume, Pertinent Pages)
	U	
	V	
	W	
	X	

\*A copy of this reference is not being furnished with this Office action. (See MPEP § 707.05(a).)  
Dates in MM-YYYY format are publication dates. Classifications may be US or foreign.